



**MINUTES
SCOTTSDALE PLANNING COMMISSION
KIVA – CITY HALL
3939 N. DRINKWATER BOULEVARD
JANUARY 14, 2004**

PRESENT: David Gulino, Chairman
Steve Steinberg, Vice Chairman
David Barnett, Commissioner
James Heitel, Commissioner
Eric Hess, Commissioner
Jeffery Schwartz, Commissioner

STAFF: Kurt Jones
Pat Boomsma
Don Meserve
Debbie Abele
Bill Verschuren

CALL TO ORDER

The regular meeting of the Scottsdale Planning Commission was called to order by Chairman Gulino at 5:25 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

APPROVED

COMMISSIONER BARNETT NOMINATED DAVID GULINO AS CHAIRMAN AND STEVE STEINBERG AS VICE CHAIRMAN OF THE PLANNING COMMISSION. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF FIVE (5) TO ZERO (0).

MINUTES APPROVAL

December 10, 2003

COMMISSIONER BARNETT MADE A MOTION TO APPROVE THE DECEMBER 10, 2003 MINUTES AS PRESENTED. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

CONTINUANCES

28-UP-2003 (Sanctuary Nightclub and Restaurant) request by Beus Gilbert PLLC, applicant, F.F.P. LLC, owner, for a conditional use permit for an after-hours establishment on a .78 +/- acre parcel located at 7336 – 7340 E. Shoeman Lane with Central Business District, Parking District, Downtown Overlay (C-2/P-3/P-2. DO) zoning. **Continued date to be determined.**

COMMISSIONER BARNETT MOVED TO CONTINUE CASE 28-UP-2003 TO A DATE TO BE DETERMINED. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

EXPEDITED AGENDA

27-UP-2003 (Water Treatment Plant) request by City of Scottsdale, applicant/owner, to approve a municipal use master site plan by expanding the existing water treatment plant with an additional 6.9+/- acres located at 8660 E. Union Hills Drive for the construction of a water treatment facility with Industrial Park District (I-1) zoning.

32-UP-2003 (Sprint PCS) request by Starbridge Communications LLC, applicant, United Assets Inc., owner, for a conditional use permit for a wireless communication facility to be located within two flagpoles on a 336 +/- square foot portion of a parcel located at 7609 E. Indian Bend Road with Multi-Family Residential District (R-5) zoning.

22-ZN-2003 (Ingleside Inn Tract Unit 03) request by City of Scottsdale, applicant, Michael & Sally Connors, owners, to rezone from Single Family Residential (R1-

10) (City of Phoenix zoning) to Single Family Residential District (R1-7) on a portion of a .41 +/- acre parcel located at 6002 E. Carnation Circle.

COMMISSIONER BARNETT MOVED TO FORWARD CASES 27-UP-2003, 32-UP-2003, AND 22-ZN-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL SUBJECT TO MEETING THE USE PERMIT CRITERIA. SECOND BY COMMISSIONER SCHWARTZ.

THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).

NON-ACTION ITEM

Discussion on Historic Preservation

MS. ABELE provided a review of the relevant sections of the HP Ordinance which the Planning Commission has responsibilities. She discussed the Historic Preservation Commission make-up and expertise required for appointment and their duties. She provided information on the criteria and process for evaluating significance, and the supporting documentation provided to assist in review.

VICE CHAIRMAN STEINBERG inquired about the process for contacting the property owners to obtain their consent for the HP designation. Ms. Abele reported there is a concerted effort to talk to every property owner. Vice Chairman Steinberg inquired if there were stringent guidelines for maintenance or work done on the exterior of a building they would have to abide by. Ms. Abele stated that there are not maintenance requirements but there are requirements for the work done on the exterior of the building.

Vice Chairman Steinberg inquired if the owner of the property does not want the historic designation if there was an appeals process. Ms. Abele stated there is a process that an owner could initiate taking off the overlay zoning.

COMMISSIONER BARNETT stated this appears to be a very onerous process. He inquired if there was a faster more efficient way of doing this. Ms. Boomsma reviewed the issues that went into drafting the ordinance. She stated there were two competing interests one was not to overburden the process and the other was to make sure protections were in place for property owners who are not interested in designation. She noted that there is a process to bring the HP designation through at the same time as the zoning. Ms. Abele noted there are only a limited number of properties that would be eligible for designation.

CHAIRMAN GULINO requested additional information on the appeals process. Ms. Boomsma provided a brief overview of the process. Chairman Gulino inquired if there were any advantages or disadvantages to the property owner to have the historic designation. Ms. Abele stated the advantages are they receive

a level of protection that relates to the review and changes to the property. She further stated incentives are made available to the designated properties.

Chairman Gulino stated that he had a problem with somebody zoning someone else's property. He further stated that he felt it was important to respect property rights. He commented that he felt it was wonderful that they are preserving some of these structures but it is important that they don't lose sight that these are privately owned. Ms. Abele stated the development incentives are one way to provide a balance.

COMMISSIONER HEITEL stated he would like to echo the comments of the Chairman. He further stated that he got the impression regarding the designation that there would probably be some cases come before them where the properties don't share Ms. Abele's enthusiasm. Ms. Abele commented they would probably see just the opposite.

WRITTEN COMMUNICATION

There was no written communication.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 5:55 p.m.

Respectfully Submitted,

"For the Record " Court Reporters